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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,)	No. CR-05 00348 SBA
)	
12 Plaintiff,)	STIPULATION AND ORDER
)	CONTINUING DATE FOR CHANGE OF
13 vs.)	PLEA AND SENTENCING
)	
14 ELVIN STEVENSON,)	
)	
15 Defendant.)	
)	

16
17 This matter presently is set for change of plea and sentencing on November 15, 2005.
18 The parties have submitted a proposed plea agreement under Fed. R. Crim. P. 11(c)(1)(C) for the
19 Court's consideration. The pre-sentence report has not yet been filed with the Court. In order to
20 provide enough time for the parties to consider the final pre-sentence report, to prepare
21 sentencing memoranda advising the Court of their respective positions, to permit the Court time
22 to consider the parties' proposed plea agreement, and in the interests of justice, IT IS
23 STIPULATED AND AGREED that the hearing on Mr. Stevenson's change of plea and
24 sentencing be continued until December 13, 2005 at 10:00 a.m. It is further STIPULATED
25 AND AGREED that time under the Speedy Trial Act be excluded on the grounds that the Court
26 has under consideration a proposed plea agreement, as provided in 18 U.S.C. § 3161(h)(1)(I).

October 25, 2005

/S/

MERRY JEAN CHAN
Assistant United States Attorney

October 25, 2005

/S/

JEROME E. MATTHEWS
Assistant Federal Public Defender

I hereby attest that I have on file all holograph signatures for any signatures indicated by a “conformed” signature (/S/) within this efiled document.

Based on the reasons provided in the stipulation of the parties above, the Court hereby FINDS that there is good cause for continuance of the scheduled hearing for defendant’s change of plea and sentencing from November 15, 2005 to December 13, 2005, and that time should be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(1)(I), on the grounds that the Court presently is considering the parties’ proposed plea agreement.

Based on these findings, IT IS HEREBY ORDERED that the hearing be continued from November 15, 2005 to December 13, 2005 at 10:00 a.m.

IT IS SO ORDERED.

Dated: October 25, 2005

Saundra B. Armstrong
SAUNDRA BROWN ARMSTRONG
United States District Judge